

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Tadahiro OHMI et al.

Title: SHOWER PLATE, PLASMA PROCESSING
APPARATUS, AND PRODUCT
MANUFACTURING METHOD

Appl. No.: 10/584,340

International Filing Date: 9/24/2004
371(c) Date: 08/02/2006

Examiner: Keath T. Chen

Art Unit: 1792

Confirmation Number: 2005

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be

appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing of a first Office action after the filing of a Request for Continued Examination under §1.114.

RELEVANCE OF EACH DOCUMENT

The documents listed on the attached PTO/SB/08 were cited as being relevant during the prosecution of the corresponding Japanese application. A partial English translation of the Japanese Office Actions of July 15, 2009 and October 14, 2009 follows:

Translation of JP Office Action of 7-15-09:

Cited Literature 3: In particular, see paragraphs (0015)–(0076) and Fig. 2.

It is recognized that, based on the invention described in Cited Literature 3, a person skilled in the art could have easily made the side from which gas is discharged concave in the invention described in Cited 1.

Translation of JP Office Action of 10-14-09:

It is disclosed in Cited Literature 1 that the number of gas-introducing holes per unit area is continuously increased from the center of the electrode to the periphery by formularizing the aperture positions of the gas-introducing holes.

- It is disclosed in Cited Literature 2 that the diameter of the holes on the side from which gas is discharged from the holes is made smaller than the diameter on the side into which gas flows. It is also recognized that the diameter of

the holes on the side on which gas is discharged from the holes in Cited Literature 2 is at most double the thickness of the plasma sheath.

Cited Literature 3: In particular, see paragraphs (0017)–(0024) and Figs. 4, 5 and 7.

It is described in Cited Literature 3 that the peripheral part of the electrode projects from the center and that the number of shower nozzles in the peripheral part per unit area is increased from the center.

Document A1 is a U.S. counterpart of Document A2.

Any Document listed on the attached PTO/SB/08 was cited as being relevant during the prosecution of the corresponding Japanese application. A copy of the Japanese Office Actions is attached.

Unless otherwise indicated, no English translation is readily available (not considering machine-generated translations that may be freely available online, to both the Applicant and the PTO) for each of the non-English language documents. However, a commercially available English language abstract is provided herewith, where indicated on the attached Form PTO/SB/08. Inasmuch as Applicants have endeavored to provide at least one item that complies with the requirement for a “concise explanation of relevance” for each of the non-English language documents, each of these documents has been submitted in compliance with the PTO requirements and should be considered by the Examiner (37 CFR §1.97, §1.98 and MPEP §609).

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Although Applicant believes that no fee is required, the Commissioner is hereby authorized to charge any additional fees which may be due to Deposit Account No. 19-0741.

Respectfully submitted,

Date November 6, 2009

By 

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 945-6014
Facsimile: (202) 672-5399

George C. Beck
Attorney for Applicant
Registration No. 38,072